

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**BRITTANY WILKINS,  
PLAINTIFF**

**v.**

**DUNCANVILLE I.S.D., ET AL.,  
DEFENDANTS**

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**CASE No. 3:20-CV-1404-E-BK**

**ORDER ACCEPTING THE FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge Renée Harris Toliver made findings, conclusions, and a recommendation on three motions in this case: 1) the “Duncanville Defendants’ Motion to Dismiss Plaintiff’s First Amended Complaint (for Civil Rights Violations)”<sup>1</sup> (Doc. No. 19); 2) the Mansfield Defendants’ “Rule 12(b)(6) Motion to Dismiss Plaintiffs’ First Amended Complaint”<sup>2</sup> (Doc. No. 21); and 3) “Plaintiffs’ Motion for Default Judgment” (Doc. No. 25). No objections were filed. The Court reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

Accordingly, Plaintiff’s Motion for Default Judgment is **DENIED**. The motions to dismiss filed by the Duncanville Defendants and the Mansfield Defendants are **GRANTED IN PART**.

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<sup>1</sup> The “Duncanville Defendants” include Duncanville I.S.D., the Duncanville I.S.D. Police Department, Kathleen Brown, Matthew Garcia, Thomas Lovett, Chavela Hampton, Carl Jackson, Brandi McIntosh-Lee, Tiara Richard, Carol Rittiman, and Margarete Youree.

<sup>2</sup> The “Mansfield Defendants” include Mansfield I.S.D., the Mansfield I.S.D. Police Department, Kimberley Cantu, Jim Vaszauskas, Greg Minter, Jimmy Dale Womack, and Raul M. Taylor.

All of Plaintiff's claims brought on behalf of her minor son are **DISMISSED WITHOUT PREJUDICE**. Plaintiff's own claims against all Defendants are **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing an amended complaint. Plaintiff is **ORDERED** to file an amended complaint within 14 days. If Plaintiff fails to amend her complaint within 14 days to cure the deficiencies noted, at the re-urging of Defendants, those claims will be **DISMISSED WITH PREJUDICE**.

**SO ORDERED** this 23rd day of March, 2021.

A handwritten signature in black ink, appearing to read 'Ada Brown', written over a horizontal line.

Ada Brown  
UNITED STATES DISTRICT JUDGE